

1977

## 1977 Annual Report

San Francisco Bay Conservation and Development Commission

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### Recommended Citation

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# San Francisco Bay Conservation and Development Commission 1977 Annual Report



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## SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

30 VAN NESS AVENUE  
SAN FRANCISCO, CALIFORNIA 94102  
PHONE: 557-3686



February 8, 1978

TO GOVERNOR EDMUND G. BROWN JR. AND  
MEMBERS OF THE CALIFORNIA LEGISLATURE

We are pleased to submit our 1977 Report of Activities under the McAteer-Petris Act and in other assigned responsibilities.

The Commission approved 20 major permit applications and two material amendments to previous permits. These involve an estimated \$100,500,000 of development; when these projects are completed with their mitigation conditions, there will be an increase of 4.6 acres to the Bay surface and 21.4 acres of new public shoreline access.

Two Special Area Plans were approved, in South Richmond and Benicia, and a major amendment was made to the San Francisco Special Area Plan. These planning efforts, initiated by the local governments involved, resulted in beneficial coordination of the needs of the Bay and upland areas that, in turn, allowed major projects to proceed within the scope of the adopted plans.

Of importance was the enactment into law of the Suisun Marsh Preservation Act of 1977 (AB 1717, Fazio). The legislation enacted into law most of the recommendations in the Suisun Marsh Protection Plan that was developed by BCDC and the Department of Fish and Game at legislative direction. The Act calls for preparation of a local protection program by local government and approval of the program by the Commission. When completed, the local program will protect the unique characteristics of the 89,000 acre Marsh and will allow appropriate water-related industrial development in Collinsville, adjacent to the Marsh. Preparation of the local protection program will be financed through grants, administered by BCDC, under the Federal Coastal Zone Management Act.

The Commission is most appreciative of the continued public interest in its activities, demonstrated by helpful comments at many public meetings and hearings; of BCDC advisory committees whose special knowledge is a great asset to Commission deliberations; of local, regional, State, and Federal governments for their cooperation; of permit applicants working with the Commission to achieve the necessary conservation-development balance; and of BCDC staff without whose wholehearted support the Commission would not have made the record noted in these pages.

Respectfully submitted,

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UNIVERSITY

*Joseph C. Houghteling*  
JOSEPH C. HOUGHTELING  
Chairman

JCH/lr





The BCDC consists of 27 members who represent Federal, State, and local governments and the general public. Names of Commissioners' alternates are shown in parentheses.

The Commission membership, as of December 31, 1977, is as follows:

## PUBLIC REPRESENTATIVES

**Joseph C. Houghteling**, Chairman, appointed by the Governor (George R. Kane, Los Gatos)

**Mrs. Dean A. Watkins**, Vice Chairman, appointed by the Governor (Mrs. Morse Erskine, San Francisco)

**Harry A. Bruno**, Oakland, appointed by the Governor (Frank E. McClure, Orinda)

**Earl P. Mills**, San Francisco, appointed by the Speaker of the Assembly (Harvey Berg, Tiburon)

**Ms. Elizabeth Osborn**, Fremont, appointed by the Senate Rules Committee (Ms. Patricia Shelton, Cupertino)

## STATE REPRESENTATIVES

**Mrs. Barbara B. Eastman**, San Francisco Bay Regional Water Quality Control Board (Mrs. Louise Renne)

**Donald L. Lollock**, State Resources Agency (Eugene Toffoli)

**Sidney C. McCausland**, State Department of Finance (Charles C. Harper)

**William F. Northrop**, State Lands Commission (Richard S. Golden)

## FEDERAL REPRESENTATIVES

**Col. John M. Adsit**, U. S. Army Corps of Engineers (Lt. Col. Karl F. Schmid)

**Paul DeFalco, Jr.**, U. S. Environmental Protection Agency (Richard L. O'Connell)

## LOCAL REPRESENTATIVES

County (appointed by the County Board of Supervisors)

**Supervisor Richard Brann** of Solano County (Supervisor Larry Asera)

**Supervisor Sam Chapman** of Napa County (Councilwoman Dorothy Searcy)

**Supervisor George DeLong** of Sonoma County (Supervisor Brian Kahn)

**Supervisor Nancy Fahden** of Contra Costa County (Mrs. Jean B. Siri, Sanitary District Director)

**Supervisor John George** of Alameda County (William H. Fraley, Planning Director)

**\*Supervisor Quentin L. Kopp** of San Francisco County (Dr. Amancio G. Ergina, Commissioner, San Francisco Housing Authority)

**Supervisor Denis Rice** of Marin County (\*Supervisor Gary Giacomini)

**Supervisor Geraldine F. Steinberg** of Santa Clara County (W. Eric Carruthers, Jr., Principal Planner)

**Supervisor John M. Ward** of San Mateo County (Mrs. Geri Farman, Program Coordinator)

CITIES (appointed by the Association of Bay Area Governments)

**Councilman Albert Aramburu** of Tiburon (Councilman John F. Cunningham, Jr., Vallejo)

**Mayor James E. Balentine** of Newark (Councilman Robert Norris, Redwood City)

**Supervisor Dianne Feinstein** of San Francisco (Councilman Arthur Lepore, Millbrae)

**Councilman Frank Ogawa** of Oakland (Mayor Ilene Weinreb, Hayward)

In addition, two Legislators are appointed by the Legislature to meet with the Commission and take part in its work to the extent allowed by their position as Legislators. These Legislators are:

**Senator Peter Behr**

**Assemblyman John J. Miller**

\*Commission members or alternates who no longer serve on the Commission, effective January 1978.

# San Francisco Bay Conservation and Development Commission

The 27-member Commission was created by the California Legislature in 1965 in response to citizen concern for the future of San Francisco Bay. The Commission originally was given a four-year life span and assigned the task of preparing a plan for the Bay by 1969. In 1969, the Commission submitted the complete San Francisco Bay Plan to the Governor and the Legislature who subsequently decided that the Commission should become a permanent agency to carry out the Plan. The McAteer-Petris Act (the Commission's enabling legislation) was accordingly amended in 1969, giving the Commission permanent status and the following three major areas of responsibility:

In accordance with the law and the Bay Plan, to regulate all filling, changes in existing uses, and dredging in San Francisco Bay (including San Pablo and Suisun Bays, all sloughs that are part of the Bay system and certain creeks and tributaries);

To have limited jurisdiction within a 100-foot strip inland from the Bay. Within this shoreline band the Commission's responsibility is two-fold: (a) to require public access to the Bay to the maximum extent feasible, consistent with the nature of new shoreline developments; and (b) to ensure that the limited amount of existing shoreline property suitable for high priority purposes is reserved for these purposes, thus minimizing pressures to fill the Bay. (The six high priority uses of shoreline land specified in the law and the Bay Plan are ports, water-related industry, water-related recreation, airports, wildlife areas, and desalinization and power plants);

To have limited jurisdiction over any proposed filling of salt ponds or managed wetlands (areas diked off from the Bay and used for salt production, duck-hunting preserves, etc.). These areas, although not subject to the tides of the Bay, provide wildlife habitat and water surface important to the climate of the Bay Area. If filling of these areas is proposed, the Commission is to encourage dedication or public purchase to retain water surface area. If development is authorized, the Commission is to ensure that the development provides public access to the Bay and retains the maximum amount of water surface consistent with the development.

In 1977, the Legislature gave the Commission a fourth major area of responsibility:

To implement in cooperation with local government and the Department of Fish and Game, the Suisun Marsh Preservation Act of 1977 (AB 1717, Fazio). Under this legislation, which enacts into law most of the recommendations of the Suisun Marsh Protection Plan prepared by the Commission during 1976, local governments and special districts within the Marsh must prepare together a local protection program, consistent with the Act and the Protection Plan, and submit it to BCDC by January 1, 1979. The local protection program must include development controls

designed to (1) protect the wetlands within the Marsh; (2) protect agricultural lands within the Marsh; (3) designate permitted land uses within the Marsh; (4) limit erosion, sedimentation, and water runoff; (5) protect riparian habitat; (6) ensure that the use of the water-related industrial and port area at Collinsville is in conformity with the Protection Plan; and (7) ensure that new development in the Marsh is designed to protect the visual characteristics of the Marsh. After submission of the local protection program, BCDC must determine whether it is consistent with the Preservation Act and the Protection Plan. Federal funds under the Coastal Management Act of 1972, administered by BCDC, are allocated to finance the local governments' planning responsibilities under the Marsh Act.

Both before and after BCDC certification of the local protection program, a marsh development permit is required for any development in the Marsh. BCDC issues the permit within the "primary management area", which includes the wetlands within the Marsh. Local governments issue the permit within the "secondary management area", which surrounds the primary management area and consists mainly of agricultural land that is part of the Marsh ecological system.



Heron in Suisun Marsh

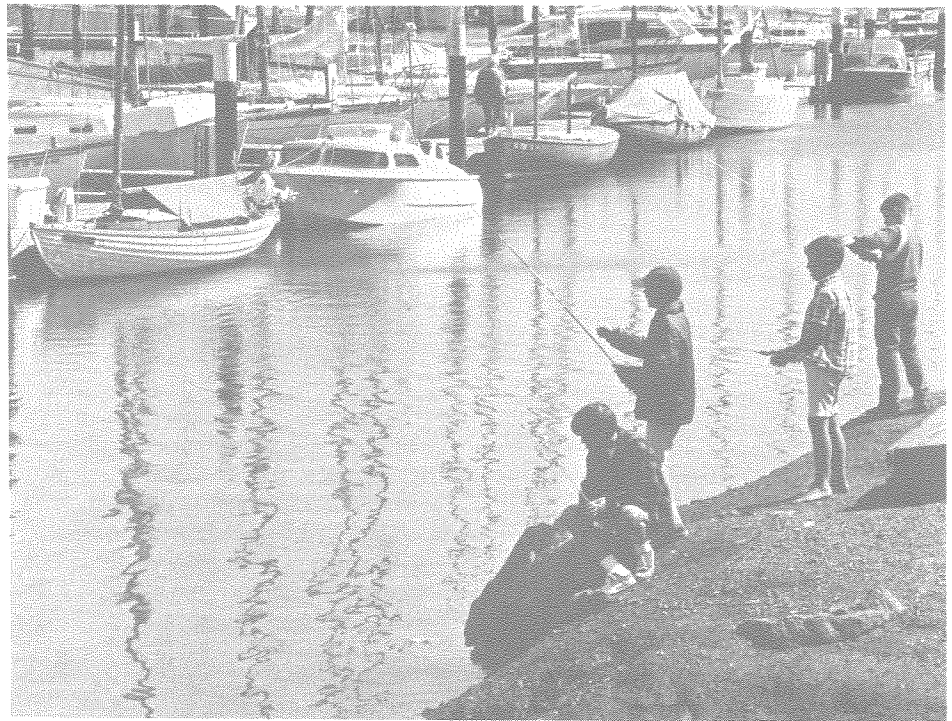
Richard F. Conrat

# 1977 Planning Activities

## BAY PLANNING

**Public Access Planning.** Commenced by the Commission in January 1977, the public access planning will assist the Commission in its role of providing maximum feasible public access to the Bay by identifying those shoreline areas that would provide particularly outstanding opportunities for public access. In addition, the final plan will advise other agencies around the Bay with regard to their acquisition or development of shoreline public access, and the plan will fulfill federal requirements for a public access element as part of the coastal management program for the Bay. During 1977, the staff completed preliminary studies and mapping for the North Bay portion of the Plan, which includes Marin, Sonoma, Napa, Solano, and central Contra Costa Counties. The preliminary findings and conclusions and maps for these areas were the subject of public meetings in San Rafael and Vallejo, which drew nearly 200 individuals. Additional public comment was received at two public hearings before the Commission in November and December.

**Marshes.** The tidal marshes of San Francisco Bay play a key role in the functioning of the estuarine ecosystem. Because they are both essential and vulnerable, marshes are the subject of specific policies in the Bay Plan. In the planning program approved by the Commission in 1974, a study was included to determine whether there might be some justification for strengthening the marsh policies. The study was prepared by consultant Dr. H. Thomas Harvey in association with Dr. Herbert L. Mason, Robert Gill and Theodore Wooster. The consultants' report was presented to the Commission in August, and the Commission directed the staff to analyze the report and to recommend Bay Plan policy changes if appropriate.



Coyote Point Marina

Richard F. Conrat

**Water-Related Industry.** The Bay Plan recognizes the importance to the regional economy of water-related industry and reserves certain shoreline sites for such uses. Based on a consultant's study completed last year and on the comments of the Advisory Committee, the staff has prepared several possible amendments to Bay Plan findings and policies on water-related industry. One of the major issues involves the method for determining industrial shore dependency. The Commission is expected to act on staff proposals in early 1978. The Commission is also participating on the ABAG Industrial Siting Task Force, sponsored by ABAG and the Governor's Office of Planning and Research. This group is analyzing industrial development from a regional perspective. Its conclusions will be evaluated by BCDC and other jurisdictions at the conclusion of the project in June, 1978.

### San Francisco Bay Plan

**Reprinting.** A second printing of the San Francisco Bay Plan has become necessary because the initial 10,000 copies are close to being exhausted. Work on the Bay Plan maps began in 1977, to reflect amendments to the maps made by the Commission as well as technical changes. The

complete reprinted Plan, in an easily amendable format, will be available by late 1978.

### Regional Seaport Planning.

During 1977, Phase One of the Regional Seaport Plan was completed and approved by the Metropolitan Transportation Commission's Seaport Policy Committee, two members of which are appointed by BCDC. This first phase quantified existing port capacity, forecast future cargo flows through the Golden Gate, and began the task of identifying sites for future port development. Work has begun on Phase Two which will refine the port priority use areas of the Bay Plan maps and will establish project review criteria by which to evaluate future permit applications for port use. A detailed environmental analysis of each potential port site will be included in this phase.

### Environmental Management

**Planning.** The Commission is involved in the Association of Bay Area Governments' efforts to prepare an Environmental Management Plan for the Bay Area. These studies, financed by funds from Section 208 of the Federal Water Pollution Control Act of 1972, encompass water quality, air quality and solid waste disposal.



**Regional Airport Planning.** The Bay Plan finds that effective planning to meet the aviation needs of the Bay Area can only be done on a comprehensive, regional basis. In order to prepare and implement such a plan, BCDC has been participating in the MTC/ABAG Regional Airport Planning Committee. Much of the Committee's efforts during 1977 were devoted to updating the existing Regional Airport Plan. A particular BCDC concern is to reduce pressures for airport fill by encouraging land use decisions in the vicinity of airports that minimize the impacts (especially noise) of airport operations.

## SPECIAL AREA PLANNING

**Special Area Plans** are a means for BCDC and local governments to jointly plan for waterfront areas needing more detailed planning guidelines than are contained in the Bay Plan. They are adopted by the Commission as amendments to the Bay Plan and by local governments as amendments to their general plans. During 1977, the Commission approved a special area plan for a portion of the city of Benicia's shoreline, began a special area plan for a part of the Redwood City shoreline, amended the special area plan for the San Francisco waterfront, and adopted the South Richmond Shoreline Special Area Plan.

**Benicia Special Area Plan.** A critical portion of the Benicia waterfront, centering on the downtown area, is included in the Benicia Special Area Plan, adopted by the Commission in May of 1977. The Special Area Plan includes provisions for a marina and complementary commercial and residential uses, preservation of marshes and tidelands, and public access. The BCDC port priority use area west of 5th Street was deleted after study showed that other areas were more suitable to serve long-term port needs. As part of the special area planning process, the City also adopted regulatory ordinances controlling shoreline development and protecting open water and tidelands. Implementation of the Plan will result in a net expansion of the Bay's surface

area, since the marina basin will be excavated from dry land.

### Redwood City Special Area Plan.

On August 8, 1977, Redwood City requested BCDC special area plan for a portion of the Redwood City shoreline, between the Port of Redwood City and the southeastern City boundary. The Commission authorized the Chairman to appoint four members to a Redwood City Waterfront-Port Special Area Plan Advisory Committee which will oversee the preparation of the plan with staff support from both the City and BCDC. The four members appointed are Mrs. Ralph N. Jacobson, James Trout, Jack Boggess and George Kane. The planning effort is expected to be completed by the end of 1978.

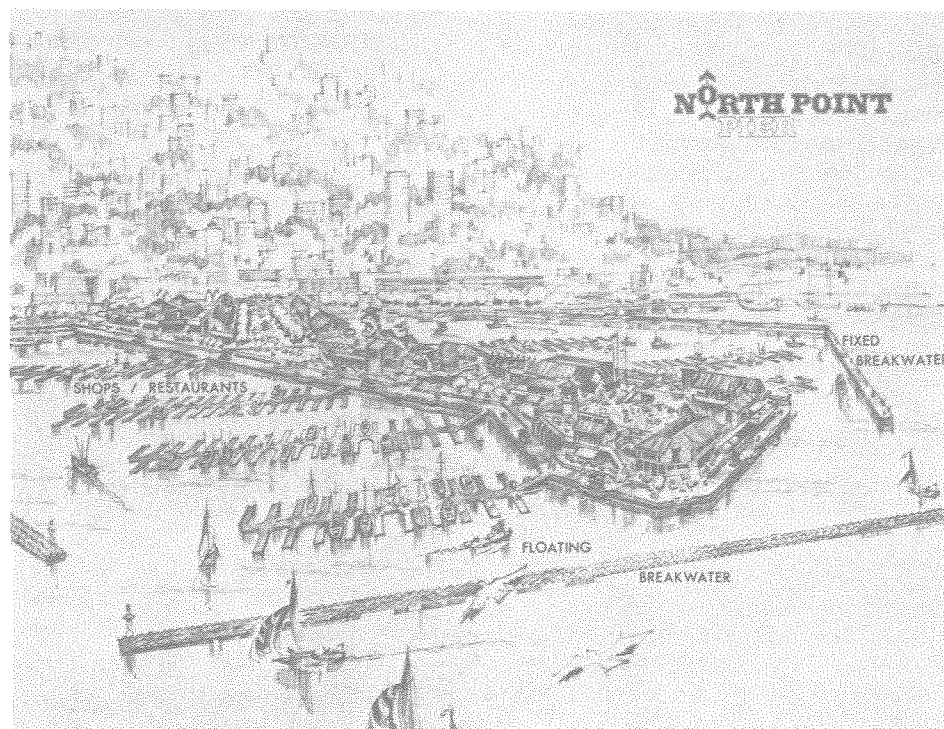
### San Francisco Special Area Plan.

A major amendment was approved in January, 1977 for the San Francisco Special Area Plan, whereby marina and associated commercial recreation uses are permitted in the vicinity of Pier 39, while the allowable development intensity between Piers 9 and 24, near the Ferry Building, is substantially reduced. This amendment was requested by the City of San Francisco, which also

amended its Northern Waterfront Plan. City and BCDC plans for the San Francisco waterfront are now essentially consistent.

### South Richmond Shoreline Special Area Plan.

The South Richmond Shoreline Special Area Plan, completed during 1976, was adopted by the Commission as an amendment to the San Francisco Bay Plan. The Plan was prepared by the South Richmond Special Area Plan Committee which included four BCDC appointees, Mrs. Clark Kerr, Mrs. Ralph N. Jacobson, Warren Boggess and Richard Trudeau. The Plan provides for the development of a major residential and commercial recreational complex, including a marina, in the Inner Harbor Basin area, while also ensuring protection of sensitive nearby habitat areas. A portion of the Richmond port priority area was deleted to allow the marina, after it was established that regional needs did not require retention of the port area. In May, 1977, the Plan was selected for an award of honor by the Northern California Section of the American Institute of Planners for its "distinguished contribution to the planning profession and to the enhancement of our living environment".



Artist's Rendering of Pier 39 Project, San Francisco

# 1977

## Permit Summary

Under the McAteer-Petris Act (the BCDC law) projects involving placement of fill, dredging, or a substantial change in use of the shoreline, require a BCDC permit. Permits are issued for those projects that are consistent with the policies of the San Francisco Bay Plan and the McAteer-Petris Act.

During 1977, the Commission processed 32 major permit applications and three for material amendment applications. Twenty permits and two material amendments were approved, no permits were denied, two were withdrawn, one was returned unfiled and one was processed as an agreement to avoid potential litigation. Eight permit applications and one material amendment are still pending.

These statistics do not, of course, reflect the large number of projects that did not progress to the permit application stage because the prospective applicant was advised that the McAteer-Petris Act and the Bay Plan would require denial of the application.

The approved projects will result in a total of 31.4 acres of new Bay fill and involve \$100,500,000 in new development expenditures. Pursuant to conditions, the projects will also provide approximately 30.3 acres of new Bay surface area, for a net increase in the size of the Bay of 4.6 acres. The projects will, in addition, provide 21.4 acres of new shoreline access to the Bay.

Also during 1977, 116 applications for administrative permits were approved by the Executive Director; none were denied. Two additional applications for administrative permits were filed and are pending, and 11 applications had been received but not filed, pending receipt of additional necessary information. Four applications were withdrawn, four were returned unfiled and one was processed as an amendment. Two applications were issued as emergency permits.

Many of the issued permits also contained conditions requiring provision of public access to the Bay's shoreline and assuring that adverse effects were mitigated. Since 1965, 242 applications for major permits and 995 applications for minor permits have been filed with the Commission.

### PERMITS GRANTED BY THE COMMISSION

Since the completion of the last Annual Report, the Commission has granted the following major permits:

**To the City of Vallejo,** to construct a 2,200-foot breakwater at the Vallejo Municipal Marina, at Mare Island Strait on the Napa River, immediately south of the Mare Island Causeway. Work approved included dredging 13,000 cubic yards of material, the repair of existing boat docks, the placement of approximately 200 tons of riprap material covering approximately 1,250 square feet of the shoreline embankment, and the installation of a vessel holding tank pumpout facility. (16-76)

**To East Bay Dischargers Authority,** to construct and use a buried sewer interceptor pipeline along the southern Alameda County shoreline and a buried outfall pipe in San Francisco Bay. Work included dredging approximately 310,000 cubic yards of material from the existing San Leandro Marina Channel, and disposing of the spoils at an inland site outside BCDC jurisdiction; dredging approximately 840,000 cubic yards of material from the outfall pipe trench of which approximately 70,000 cubic yards would be used as backfill for the trench, and the remaining 770,000 cubic yards would be deposited at the Federal dumping ground near Alcatraz Island. A 96-inch diameter pipe, including an 800-foot-long diffuser will be placed in the dredged trench; other portions of the pipe will be placed in trenches under the beds of adjacent waterways and salt ponds. (19-76)

**To American Savings and Loan Association and Wilmer Hunt,** to construct 18 single-family dwellings partially within the shoreline band at Harbor Point Subdivision, Strawberry Point, at the north end of Richardson Bay, and to provide in the Bay and within the shoreline band public access on approximately 2-acres of beach and tidal area. (20-76)

**To the City of Martinez,** at the west side of the Martinez Marina, for the purposes of protecting the marina and alleviating erosion, including constructing an 8-foot-wide by 80-foot-long rock dike running between an existing dike to a fishing pier and an existing ferry slip, and improvement of the existing dike by placing approximately 350 square feet of rock riprap, providing public access on the new and improved dikes. (21-76)

**To Waterfront Recreation Facilities, Inc. and the Port of San Francisco,** to construct and use commercial recreation and marina complex, at and adjacent to Piers 37, 39, and 41, along The Embarcadero in San Francisco. Portions of existing Piers 37 and 41, would be demolished, and new concrete platforms on concrete piles would be built at Pier 39. Breakwaters, including a breakwater providing public access on the Bay, and berthing facilities for 60 sportfishing vessels and 300 small pleasure craft would be built. Multi-story retail commercial buildings would be constructed on two levels on Pier 39. A portion of The Embarcadero will be relocated and realigned outside BCDC jurisdiction, where a public park between the waterfront and the Bay will be constructed along approximately 4.3 acres of the Bay's shoreline. This project followed amendment of the San Francisco Waterfront Special Area Plan. (22-76)

**To Western Water Ways, Inc.,** to construct and use improvements at the existing Glen Cove Marina, in Elliot Cove, immediately east of Carquinez



Bridge, near Vallejo. Work includes construction of 194 additional berths, of which 113 berths will be covered; and within the shoreline band, upgrading existing road and providing parking for 100 cars. Included in the permit were special conditions for improving public access and shoreline appearance. (24-76)

**To the Sausalito Yacht Harbor, Inc.,** between Johnson and Bay Streets in Sausalito, to construct 200 additional small boat berths, to dredge 15,000 cubic yards of sediment for those berths, perform maintenance dredging, use the entire marina area for berthing not more than 625 small boats, construct one-pile-wide wave baffles and use a 12-foot-wide pile-supported public access walkway. Within the 100-foot shoreline band, the permittee will improve and use a publicly-owned, approximately .12-acre area within the Humboldt Avenue right-of-way as a public park; and landscape public access and park areas. (26-76)

**To the City of South San Francisco,** to expand and improve the existing Oyster Point Marina at the foot of Oyster Point Boulevard, including dredging approximately 80,600 cubic yards of materials from the marina constructing a 2,000-foot-long breakwater, berths for 300 boats, and an approximately 5,700-square-foot public fishing pier, placing 12,000 cubic yards of sand to expand and improve an existing beach, to construct a 100,000-square-foot commercial/recreational building within the shoreline band, and to provide parking for 170 cars and a landscaped public promenade around the shoreline. (1-77)

**To the Port of Oakland,** to construct and use container crane rails and associated container storage facilities at Berth 7 of the Oakland Outer Harbor. The project involves 6,000 square feet of pile-supported fill. (2-77)

**To the City of Benicia,** at the Benicia waterfront between Point Benicia and East Fifth

Street, to construct a 309-berth marina of which 96 berths will be covered with roofs, and not more than 10 berths will be for live-aboards or houseboats, a 5,000-square-foot fishing pier at the end of Point Benicia and a 640-foot-long public access boardwalk covering 10,000 square feet. The project will also involve dredging and restoring 18 acres of marsh. Within the shoreline band, access roads and parking for 270 cars, public access around the shoreline of the entire project, a restaurant at Point Benicia and commercial recreational buildings at the marina will be provided. The marina basin will add 15 acres to the Bay. This project followed adoption of the Benicia Special Area Plan. (5-77)

**To San Rafael Cayes, Inc.,** doing business as Lincoln Construction Company, on property located adjacent to San Rafael Creek, in East San Rafael, to subdivide a 40-acre parcel for single-family homesites. A strip of compacted, selected fill would be placed on an approximately 10-foot-wide by 1,500-foot-long existing levee, where improved public access and landscaping for the use of the general public would then be placed. (7-77)

**To the Port of Oakland,** at the Dennison Street Wharf and Livingston Street Pier, to dredge approximately 20,000 cubic yards of material, demolish the Dennison Street Wharf, construct 44 new boat berths, and place approximately 4,500 square feet of riprap to improve shoreline appearance. The shoreline would be redeveloped by placing fill and grading approximately 6,000 square feet of shoreline, where a public access and observation area, and new commercial fishing and commercial recreational facilities would be built. (8-77)

**To Costa Del Sol,** in the Point Richmond area of the City of Richmond, to grade, pave and use streets, use six lots for residential purposes, and provide and maintain public access stairways and a public vista area. (9-77)

**To the City of South San Francisco,** on a peninsula at the east end of Belle Air Road between Colma Creek and San Francisco Bay, to relocate an existing sludge composting operation to a location outside BCDC jurisdiction, construct new sludge drying facilities, construct a service road to the site, landscape the area around the sludge drying beds, and provide 1,800 linear feet of public access with improvements along the north shore of Colma Creek. (10-77)

**To the East Bay Regional Park District,** in San Leandro Bay, north of Doolittle Drive, south of Edgewater Drive, and west of Hegenberger Road, to construct a 2,700-foot boardwalk and a 1,650-square-foot fishing deck, excavate two channels by removing approximately 7,200 cubic yards of earth, rearrange approximately 18,000 cubic yards of existing riprap, remove from the shoreline and bury within the shoreline band approximately 1,500 cubic yards of concrete and rubble, provide bicycle and pedestrian paths, parking facilities and landscaping to create approximately 10 acres of public access. (11-77)

**To Vladimir Turski,** over Corte Madera Creek, near the City of Corte Madera, to construct two three-story condominiums, covering approximately 1,400 square feet of area subject to tidal action. (12-77)

**To the East Bay Regional park District,** at San Leandro Bay around and adjacent to Doolittle Pond, in an area in Oakland northeast of the Oakland Airport, and southeast of the Alameda City Dump, to place two 300-square-foot floating docks at either side of an existing boat ramp, remove approximately 400 old pier pilings, and demolish deteriorated buildings, expand the fishing pier, place sand at a beach, provide a new parking and boat launching area, and build pedestrian and bicycle paths. (13-77)

**To the Duncanson-Harrelson Company**, to construct a small boat repair facility at the western end of the existing marine construction yard at 530 Cutting Boulevard in Richmond, including the dredging of 1,000 cubic yards of materials, and constructing seven berths, a boat lift, and a 3,200-square-foot wharf. (14-77)

**To the West County Agency of Contra Costa County**, to dredge approximately 168,000 cubic yards of sediments to form a trench, and place a 9,400-foot-long, 72-inch-diameter outfall pipeline and diffuser. The outfall would be located approximately 1,200 feet north of Point Richmond, Contra Costa County. (16-77)

**To the California Cruising Club**, to renovate and expand Redrock Marina, a small boat marina located immediately north of the east end of the Richmond-San Rafael Bridge, in Richmond. Existing small boat mooring facilities would be expanded to allow a maximum of 275 boats, existing Bay fill would be removed, the shoreline would be cleaned up, and new and improved public access would be provided to the Bay. The permit application was submitted in partial compliance with Commission Cease and Desist Order No. CCD 3-76, issued to the owners, lessees and operators of the Redrock Marina for unauthorized fill and work within the 100-foot shoreline band. (20-77)

## MATERIAL AMENDMENTS GRANTED BY THE COMMISSION

The Commission has approved two material amendments since the completion of the last Annual Report.

**To Donald L. Bren Company**, to delete a condition allowing public use of the private streets within the development. In lieu of public use of the streets, the Bren Company provided a pathway and landscaped approximately 8,000 square feet on a public parcel adjacent to the proposed development. The

amended permit continued to allow the public to walk on the private streets and to gain pedestrian access to the top of the levee adjacent to the development.

**To the City of Emeryville**, marina permit (1-70), to permit construction of 74 additional berths, authorize approximately 4.7 acres of existing fill and provide 5 acres of public access. The amendment resolved a long-standing enforcement matter regarding filling in the City of Emeryville. A staff investigation indicated the City had placed approximately 4.7 acres of fill more than was authorized under a permit issued to the City for its marina in 1970. The Commission concluded, partially on the basis of an analysis of the impacts on the Bay of removing the allegedly excess fill, that the public interest lay in allowing the fill to remain but requiring that it be devoted to public open-space uses. The Commission also required the City, as mitigation for the fill, to construct \$250,000 worth of improvements designed to improve public access to the Bay, particularly from the low-income sections of Emeryville east of Interstate 80.

## Enforcement

In 1977 the Commission was funded, partially from the State budget and partially through a federal Coastal Zone Management Act grant, to initiate a comprehensive enforcement program. The program will involve investigating complaints of unauthorized fill and construction activities within the Commission's jurisdiction, reviewing and inspecting projects previously permitted, and coordinating BCDC permit and enforcement matters with those of other state and federal agencies, including the Corps of Engineers and the Regional Water Quality Control Board.

To date, most enforcement matters have been found to be minor infractions, including lack of compliance with permit conditions. Such matters are

handled by notifying and helping the individual permittee correct the deficiency. However, some cases require more stringent measures. One of the most effective measures has been the issuance of cease and desist orders. During 1977, the Commission issued three cease and desist orders:

**To Vladimir Turski**, to halt work occurring without necessary permits below the line of highest tidal action on Corte Madera Creek in Larkspur and to require Mr. Turski to seek Commission approval for work already completed. Thereafter, Permit No. 12-77 was issued authorizing this work. (CCD 1-77)

**To E. Gordon Smith and Maryam Afshar**, to halt work occurring at Strawberry in Marin County under a lapsed BCDC permit, and without complying with important special conditions of the original permit (Permit No. 16-72). An Executive Director Cease and Desist Order was issued which required the aggrieved parties to seek the appropriate authorization to continue work and to fulfill previously required conditions. Thereafter, all conditions of the original permit were fulfilled or nearly completed, and Amendment No. 4 to Permit No. 16-72 was issued authorizing the completion of the project. (CD 2-77)

**To Paul C. Bryan**, to halt filling and other work occurring without necessary permits below the line of highest tidal action and within the 100-foot shoreline band in Solano County, near Suisun City, and to require the aggrieved party to seek the appropriate authorization or remove the unauthorized fill. At the time of publication of this report, this matter was unresolved. (CD 3-77)

## Claims of Exemption

In 1973, the Legislature amended the McAteer-Petris Act to require persons who believed their project did not require a BCDC permit because of the "grandfather" clauses in the Act to file claims of exemption. Twenty-seven claims had been filed by April 1, 1974, the filing deadline. At this writing, thirteen claims have been withdrawn, six denied, three resolved with partial grants of exemption to the claimants, and five are pending final resolution.

During 1977, the Commission completed its consideration of the claim of Freethy Land and Investment Company and granted an exemption for the development of a light industrial park at San Pablo Bay in the City of Richmond, for three parcels of land in the 90-acre development and denied an exemption for a fourth parcel. (CE 74-15)

Also in 1977, Carl and Shirley Schoof withdrew their exemption claim for a proposed marina development at Cooley Landing, in Mayfield Slough, located in Menlo Park. (CE 74-20)

## Memoranda of Understanding

BCDC has pending for 1978 one memorandum of understanding for a project to be carried out by a federal agency. This draft memorandum, formulated to further the Bay Plan and to comply with the 1973 Executive Order recommending cooperation and coordination between federal and state agencies, embodies a three-year agreement between the Commission and the U. S. Army Corps of Engineers to perform maintenance dredging of navigation channels serving Navy installations at nine Bay locations. The memorandum calls for both an exchange of correspondence regarding private party applications for dredging permits and a coordinated enforcement effort once dredging operations are begun. (MOU 77-1)

## Environmental Impact Reports

The Commission served as lead agency in the preparation of environmental documents for two projects. The first project was a specific and detailed plan for tideland and shoreline areas at South Richmond in Contra Costa County. The Commission held a public hearing on the draft environmental impact report, entitled "*Special Area Plan: South Richmond Shoreline*," at the State Building in San Francisco on March 17, 1977. The EIR was subsequently certified by the Commission as complete at the Commission meeting of April 21, 1977.

The second environmental impact report, on which the Commission is serving as lead agency, is for the dredging of not more than 300,000 cubic yards of commercial sand from the Presidio, Alcatraz, and Point Knox Shoal areas in San Francisco Bay. The shoal areas are leased from the State Lands Commission by the Construction Aggregates Corporation, which has applied for a BCDC permit. The Commission anticipates the preparation and certification of an environmental document in early 1978.

In addition, the Commission's staff spent a substantial amount of time reviewing and preparing written comments on over 60 State, Federal and local environmental documents.

## Management Program

The Commission's Management Program for San Francisco Bay was approved by Secretary of Commerce Juanita Kreps in February, 1977, under the Federal Coastal Zone Management Act of 1972, as amended. The approval of the BCDC program made BCDC eligible for Federal funding to assist in carrying out the McAteer-Petris Act, the Bay Plan, the Suisun Marsh Preservation Act of 1977, and the Suisun Marsh Protection Plan. On March 17, 1977, the Commission received a grant in the amount of \$189,647, and expected to receive additional Federal funding at the end of 1977.



Excavation for Benicia Marina

City of Benicia



## Advisory Boards

### Advisory Committee

**Mrs. Ward Duffy**, Chairman,  
Civic Leader

**Walter Abernathy**,  
Port of Oakland

**David W. Allen**,  
Belevedere Land Company

**Mrs. Rose Beatty**,  
Peninsula Conservation Center

**Henry Bostwick, Jr.**,  
San Mateo County Develop.  
Assoc.

**Richard M. Boswell**,  
Pacific Inter-Club Yacht Assoc.

**Robert D. Brown, Jr.**,  
U. S. Geological Survey

**Dale H. Fearn**,  
San Francisco International  
Airport

**Mrs. Esther Gulick**,  
Save San Francisco Bay Assoc.

**John S. Harnett**,  
East Bay Municipal Utility Dist.

**Ralph Jones**,  
Landscape Architect

**Shiraz Kaderali**,  
Pacific Gas & Electric

**John Lillie**,  
Leslie Salt

**Dr. Herbert L. Mason**,  
Professor of Botany, Emeritus,  
University of California

**Phillippe Nonet**,  
Professor of Sociology  
University of California

**Burton Rockwell**,  
Architect

**Henry W. Simonsen**,  
Industrial Tank, Inc.

**Dwight Steele**,  
Attorney

**Richard Trudeau**,  
East Bay Regional Park District

### Design Review Board

The seven Design Review Board members are professional designers in architecture, landscape architecture, and engineering who volunteer their time to advise the Commission on appearance, design, and public access of proposed projects within the Commission's jurisdiction. In 1977 the Board met eleven times and considered twenty-one projects, including five planned unit developments located in the cities of Alameda, San Rafael, Richmond and Redwood City; marinas in Emeryville, Vallejo, Sausalito and Oyster Point; the development of commercial recreation and fishing facilities at the Port of Oakland; two single family residences in Marin County; the development of commercial recreation at Pier 41 in San Francisco; two restaurants in San Francisco and Burlingame, a nursery school in Alameda; the Fisherman's Wharf Shrine; and the development of an industrial facility at Menlo Park.

The Board was grieved by the death of two of its members during 1977; Hans Feibusch, an engineer, had served on the Board since its creation in 1970; and Chester Root, an architect, had served on the Board since 1975.

There are two vacant positions on the Board. Board members are as follows:

**Edward C. Bassett**, architect,  
Skidmore, Owings and Merrill, San  
Francisco

**Garrett Eckbo**, landscape architect,  
San Francisco

**William H. Liskamm**, architect-  
urban planner, San Francisco,  
Chairman

**Jacob Robbins**, architect-planner,  
San Francisco

**Kenneth Simmons**, architect,  
Executive Director, New Oakland  
Committee, Oakland

### Engineering Criteria Review Board

Members of this Board are specialists in the fields of structural engineering, soils engineering, geology, engineering geology, and architecture, who advise the Commission on the safety of proposed Bay fill projects. Board members are leading professionals in their fields who volunteer their time in the belief that multi-disciplinary review is necessary for construction projects proposed in earthquake-prone areas with problem soil conditions. Five projects were reviewed by the Board in two meetings held in 1977. Particular emphasis was placed on defining an acceptable level of seismic safety for proposed projects and identifying conditions necessary to achieve this level. Board members are as follows:

**Dr. John A. Blume**, structural engineer, John A. Blume and Associates, San Francisco

**Dr. Ray W. Clough, Jr.**, structural engineer, University of California, Berkeley

**\*\*Henry J. Degenkolb**, structural engineer, H. J. Degenkolb and Associates, San Francisco

**Raymond Lundgren**, soils engineer, Woodward/Clyde Consultants, San Francisco

**William M. Moore**, soils engineer, Dames and Moore, San Francisco

**\*\*Dr. Gordon B. Oakeshott**, geologist, Oakland, Chairman

**Alan L. O'Neill**, engineering geologist, U. S. Army Corps of Engineers, San Francisco

**Henry E. Pape, Jr.**, civil engineer, U. S. Army Corps of Engineers, San Francisco

**Dr. Robert E. Wallace**, geologist, Menlo Park

**\*\*Retired**

# BCDC STAFF

**Charles R. Roberts**  
Executive Director

○ **Michael B. Wilmar**  
Deputy Director

**Cyndi Glassauer**  
Assistant Executive Director

○ **Stanley R. Euston**  
Chief Planner

**Alan R. Pendleton**  
Staff Counsel

○◇ **L. Thomas Tobin**  
Senior Engineer

**Norris H. Millikin**  
Senior Engineer

○ **George E. Reed**  
Senior Planner

○ **Jeffry S. Blanchfield**  
Senior Planner

**Kent E. Watson**  
Staff Design Analyst/Landscape  
Architect

**Robert B. Hickman**  
Associate Planner

◇ **William Schwarz**  
Conservation and Development  
Analyst

**Nancy Twiss**  
Conservation and Development  
Analyst

**Steven McAdam**  
Enforcement Investigator

**Legal Advisor**  
**E. Clement Shute**  
Assistant Attorney General

○ **Michael Bennett**  
Assistant Planner

**Edward Bielski**  
Conservation and Development  
Analyst

○◇ **James Zanetto**  
Junior Planner

**H. Paul Cowley**  
Junior Staff Analyst

**Myrna F. Carter**  
Secretary to Executive Director

○◇ **Bertha B. Sullivan**  
Secretary to Deputy Director/  
Minutes

**Debra Cassinelli**  
Minutes Secretary

**Lisa J. Flannigan**  
Permit Secretary

○◇ **Kathleen Cahill**  
Administration Secretary

**Lynn Roberts**  
Administration Secretary

**Sharon Louie**  
Planning/Review Boards Secretary

**Stephanie Tucker**  
Permits/Enforcement Secretary

**Linda Giannini**  
Planning Secretary

○◇ **Kathy Camacho**  
Administration Clerk

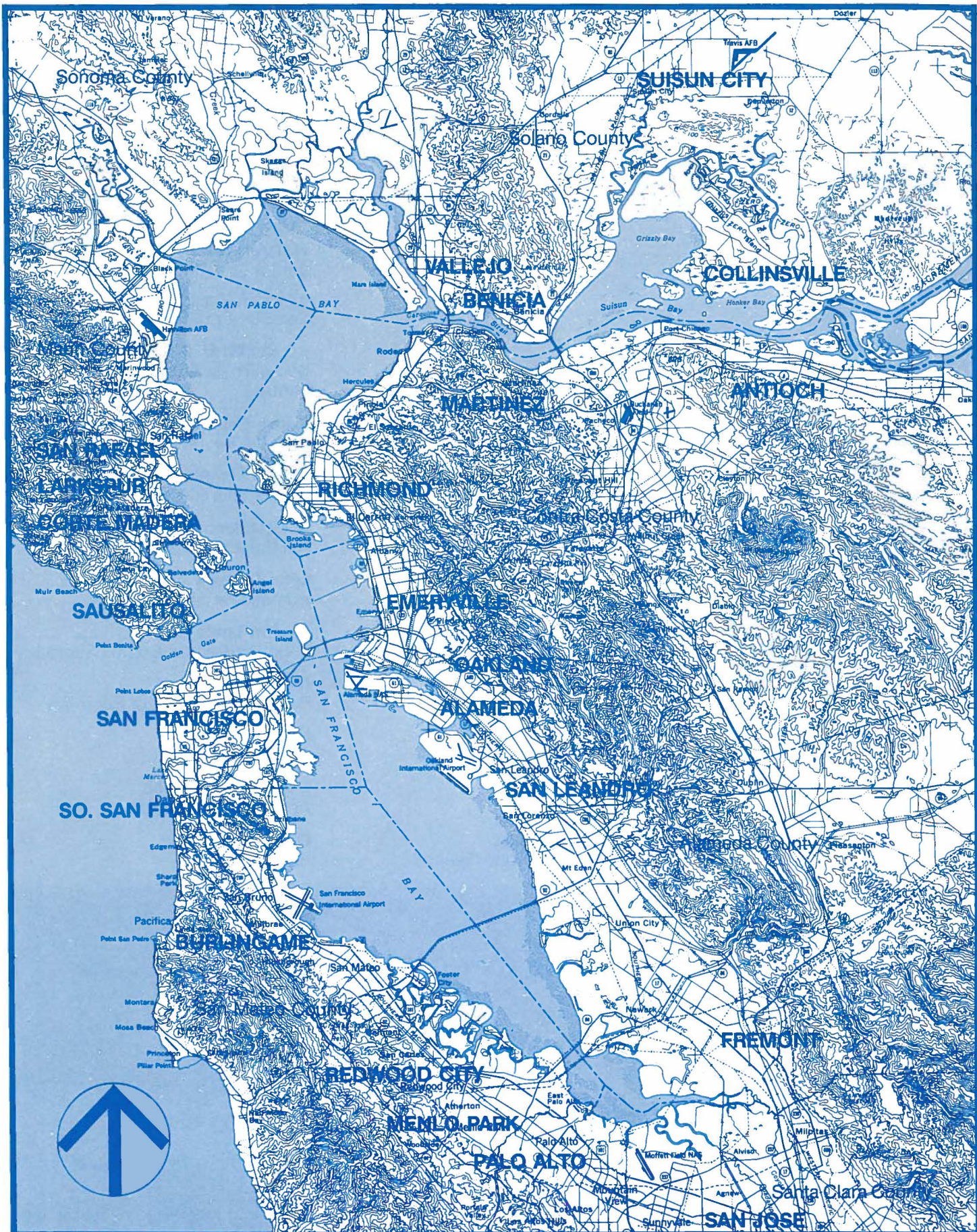
**Carol Roos**  
Receptionist



○ Not Pictured  
◇ No longer on the Commission staff

Richard F. Conrat





This report resulted, in part, from financial assistance provided by the Coastal Management Act of 1972 as amended, administered by the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration.

Cover Photo: Port of Oakland Inner Harbor  
Courtesy of the Port of Oakland



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